SHOOT? DON'T SHOOT?
Rules of Engagement in Peacekeeping Operations

A Monograph
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Second Term AY 93-94

REPORT DOCUMENTATION PAGE

Form Approved
OMB No. 0704-0188

1. AGENCY USE ONLY (Leave blank)	2. REPORT DATE	3. REPORT TYPE AND DATES COVERED
	19 MAY 1994	MONOGRAPH

4. TITLE AND SUBTITLE
SHOOT ? DON'T SHOOT ? RULES OF ENGAGEMENT IN PEACEKEEPING OPERATIONS

5. FUNDING NUMBERS

6. AUTHOR(S)
CHRISTIAN B COUDREY, LTCOL USMC

7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)
SCHOOL OF ADVANCED MILITARY STUDIES
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FORT LEAVENWORTH, KANSAS 66027-6900
COM (913) 684-3437 DSN 552-3437

8. PERFORMING ORGANIZATION REPORT NUMBER

9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)

10. SPONSORING/MONITORING AGENCY REPORT NUMBER

11. SUPPLEMENTARY NOTES

12a. DISTRIBUTION/AVAILABILITY STATEMENT
APPROVED FOR PUBLIC RELEASE:
DISTRIBUTION UNLIMITED

12b. DISTRIBUTION CODE

13. ABSTRACT *(Maximum 200 words)*
SEE ATTACHED

14. SUBJECT TERMS	15. NUMBER OF PAGES
RULES OF ENGAGEMENT	16. PRICE CODE

17. SECURITY CLASSIFICATION OF REPORT	18. SECURITY CLASSIFICATION OF THIS PAGE	19. SECURITY CLASSIFICATION OF ABSTRACT	20. LIMITATION OF ABSTRACT
UNCLASSIFIED	UNCLASSIFIED	UNCLASSIFIED	UNLIMITED

SCHOOL OF ADVANCED MILITARY STUDIES

MONOGRAPH APPROVAL

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Title of Monograph: Shoot? Don't Shoot? Rules of Engagement in Peacekeeping Operations

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Accepted this 6th day of May 1994

ARSTRACT

SHOOT? DON'T SHOOT? RULES OF ENGAGEMENT IN PEACEKEEPING OPERATIONS by LtCol Christian B. Cowdrey, USMC

This monograph examines the advantages and limitations of rules of engagement as tools for controlling peacekeeping operations. With the changing character of the international community and the disorder it is spawning a better understanding of how rules of engagement can help manage a crisis is essential to today's military commanders.

First, this monograph seeks to explain the current state of the international community and why peacekeeping operations are likely to be around f(;ome time to come. It gives definitions for each of the various types of peacekeeping operations the United States can expect to be involved with in the future. Case studies of Marine operations in Beirut, Lebanon in 1982-1984 and Somalia in 1992-1993 are used to identify key political, military, and legal considerations necessary for the successful development and execution of peacekeeping rules of engagement in the future.

The monograph concludes with an analysis of the lessons learned in both operations and recommendations on the importance of developing future rules of engagement as vital crisis management tools. A substantial portion of the analysis examines how rules of engagement help delineate the boundaries of military action in support of political objectives. Finally, it is always essential that any military actions peacekeeping units undertake are seen, by those involved, as an immediate response of self-defense. Rules of engagement must be drafted, briefed, and easily understood by all levels of the chain of command but most importantly by those subordinate commanders tasked with implementing them.

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"Get in a tight spot in combat, and some guy will risk his ass to help you. Get in a tight spot in peacetime, and you go it all alone."(1)

The collapse of the Soviet Union and the end of the Cold War have brought about significant changes in both our National Security Strategy and National Military Strategy. Both call for a more diverse, flexible force that is regionally oriented and capable of responding decisively to the challenges of the 90s. This post cold war period is proving to be anything but peaceful. "The order and predictability of the cold war system have now been replaced by the disorder, even chaos, of the new order."(2) Violence is becoming an increasingly common technique in resolving conflicts between and within much of the old third world.

This changing character of the international community and the disorder it is spawning challenges our traditional understanding of peacekeeping and peace enforcement. "The United Nations will spend some $3.8 billion on peacekeeping in 1993, nearly five times what it did in 1991; more than 80,000 troops are now deployed under UN auspices worldwide; more requests are pending."(3) Whether we like it or not the United States is involved and is obligated to pay for almost a third of all United Nations peacekeeping operations. According to UN Secretary General Boutros Boutros-Ghali, who knows this only to well, a U.S. decision should be an easy one. "It is in the interest of the U.S. to use the UN as a (peacekeeping) tool. Otherwise you (U.S.) will become the policeman of the world."(4) This

idea that peacekeeping in the world community should be compared to police in the national community is a recurring theme within the UN. As is the idea "That its going to cost money but... it's a bargain compared to the alternative, which is war."(5) says Sir Brian Urquhart, former UN Undersecretary-General in charge of peacekeeping. But despite good intentions and expanding commitments, efforts to make and keep peace in the tangled post-cold war world are failing. Bitter experience with the killing of 15 American servicemen in Mogadishu on Oct. 3 1993, and the wounding of 77 other Americans has put U.S. policy under intense scrutiny and is revealing a lack of commitment by the UN membership to organize, train and ultimately pay for policing today's ethnic feuds and civil wars. While the UN can not be blamed for last October's attack on American soldiers, since it was done purely on American orders, there remains a consensus that the international peacekeeping apparatus needs to be modified so it can move more effectively in meeting the challenges of the post-cold war period.

In an effort to raise the level of professionalism found in peacekeeping forces, the United States Institute of Peace (USIP), in a recent report titled The Professionalization of Peacekeeping, lists several key areas requiring immediate improvements. Included in the list is rules of engagement (ROE). Numerous articles and studies on peace operations make reference to the deployment of U.S. Marines to Beirut, Lebanon in the

early 1980s, highlighting the problems the U.S. encountered deploying a traditional peacekeeping force and operating under traditional peacekeeping rules of engagement in a conflict zone. Lebanon was "where the factions saw acute conflict as beneficial, and where not all factions had been co-opted into the agreement."(6) Those same articles and studies often conclude with an assessment of current U.S. involvement in Somalia, in both humanitarian intervention and UN peace enforcement operations.

In 1983, while serving as a company commander with the 24th Marine Amphibious Unit (MAU), the author deployed as part of a Multi-National Peacekeeping Force to Beirut, Lebanon. Almost ten years later, while assigned to the First Marine Division, the author found himself once again deploying, this time with a Joint Task Force to Somalia as part of Operation Restore Hope.

Both operations are frequently referred to as examples of where the United States military continues to have great difficulty effectively managing the crisis use of ROE in meeting the increased challenges and risks involved in accomplishing a peacekeeping/peace enforcement mission. Having practical experience in both operations, The author has focused on the use of rules of engagement as an effective tool for implementing decisions made at higher levels, and as a mechanism for controlling the shift from peace to war. This monograph examines the U.S. Marines' deployment to Beirut, Lebanon in 1982 as part of a multinational

peacekeeping force supporting the Lebanese government and compares it to the most recent deployment of U.S. Marines to Somalia as part of Operation Restore Hope. Both deployments are contrasting examples of extremely well intended, yet risky endeavors and both serve as an impetus for asking the question, what are the strategic/operational implications for rules of engagement in peacekeeping operations?

Active support for peacekeeping operations carries with it certain ROE problems of significant concern to the U.S. military. Many of these problems have troubled the U.S. since Marines deployed to Beirut in 1982. Future military planners must exercise caution to avoid the problems of the past in planning a successful peacekeeping operation in the future. Selected key ROE considerations, which apply to the operational planning of peace operations and appear to determine relative success in peacekeeping operations will be used in this analysis. In drafting rules of engagement, planners must consider three areas of concern: political, military, and legal. In implementing rules of engagement, commanders must consider the mission/mandate, unity of command, and suitable force structure. The ultimate objective of this case study will be to highlight lessons learned from both operations and by doing so develop, for future planning, a better understanding of many of the key considerations associated with the business of peacekeeping.

In examining military considerations in all three types of peace operations it is important to understand the definition of each in order to prevent confusion. Peacemaking is the diplomatic process or military actions to gain an end to disputes.(7) Peacekeeping refers to operations using military forces and/or civilian personnel, at the request of the parties to a dispute, to help supervise a cease-fire agreement and/or separate the parties. Theoretically, both sides to the conflict agree to the deployment and there are no enemies for the deployed force. Peace enforcement is military intervention to forcefully restore peace between belligerents who may be engaged in combat.(8) UN sanctioned peace enforcement operations have only taken place on two occasions: in Korea in 1950 and during Operation Desert Storm in 1991. Both were U.S. led coalition operations sanctioned by the UN. "In theory, UN peacekeeping and peace enforcement are distinctly different operations.... In reality, peacekeeping forces operating under UN chapter VI often find themselves in situations in which the use of force or action without consent may be essential to the success of the mission, as if the operation were under UN Chapter VII."(9) In reality, both military operations to Beirut, Lebanon and Somalia were noble interventions that degenerated into situations which required the use of force in an attempt to impose a solution.

BACKGROUND

Lebanon

On 6 June 1982, Israel invaded Lebanon. "Operation Peace for Galilee" was to last only twenty-four hours and go no farther than forty kilometers north of the Lebanese border in an effort to demilitarize the area of all hostile elements. Expansion of the original objective caused the Israeli Army to advance into the city of Beirut and corner several thousand PLO militia members on 14 June. Resolved to rid Southern Lebanon of the PLO, the Israelis laid siege to Beirut for the next seventy days. At the request of the Lebanese government, the United States, together with France and Italy, agreed to send troops to facilitate the withdrawal of all PLO officials and fighters to locations outside Lebanon. The U.S. mission was to:

> Support Ambassador Habib and the MultiNational (MNF) committee in their efforts to have PLO members evacuated from the Beirut area; occupy and secure the port of Beirut in conjunction with the Lebanese Armed Forces; maintain close and continuous contact with other MNF members; and be prepared to withdraw on order.(10)

French forces went into Beirut first and were followed by American forces only after Habib was satisfied that the evacuation was proceeding well. Italian forces were to land the day after the Americans. An arbitrary ceiling had been established by Ambassador Habib for the size of the force to be employed - 800 French, 800 Americans, and 400 Italians.(11) The 800 man limit on American forces represented approximately half the total

strength of the Marine Amphibious Unit (MAU). Evacuation of the PLO began on 21 August and was completed by 1 September, leaving the MNF in position to begin withdrawing on 10 September. During the evacuation phase Bashir Gemayel was elected President of Lebanon on 25 August. In September, two significant events occurred that quickly destroyed any hopes for peace and demanded the return of a multinational force. First, on 14 September President Bashir Gemayel was assassinated while addressing members of his Phalange Party. Second, on 16 September christian militiamen from the Phalange Party, with Israeli Army support, entered the Sabra and Shatila refugee camps and massacred nearly 800 Palestinian men, women, and children. By 25 September the U.S. had answered a formal request by the Lebanese government for the participation of U.S. forces in a new multinational force. On 29 September U.S. Marines returned to Beirut, to join 2,200 French and Italian troops already in place around Beirut. The mission statement provided to USCINCEUR by the JCS stated:

> "To establish an environment which will permit the Lebanese Armed Forces to carry out their responsibilities in the Beirut area. When directed, USCINCEUR will introduce U.S. forces as part of a multinational force presence in the Beirut area to occupy and secure positions along a designated section of the line from south of the Beirut International Airport to a position in the vicinity of the Presidential Palace; be prepared to protect U.S. forces; and, on order, conduct retrograde operations as required."(12)

Additional mission-related guidance provided by the JCS included the direction that:

- The USMNF would not be engaged in combat.
- Peacetime rules of engagement would apply (i.e. use of force is authorized only in self-defense or in defense of colloc t d Lebanese Armed Forces (LAF) elements operating with the USMNF.)
- USCINCEUR would be prepared to extract U.S. forces in Lebanon if required by hostile action.(13)

The original mission statement was modified four times over the next six months. Once to reduce the estimated number of Israeli troops in Beirut, once to redefine the boundaries the USMNF was to occupy, once to expand the mission to include patrolling in East Beirut, and finally to again, expand the mission, to allow the USMNF to provide external security for the U.S. Embassy in Beirut.

The following points constitute the ROE guidance utilized by the individual members of the USMNF from 29 September 1982 until 7 May 1983

- Action taken by U.S. forces ashore in Lebanon would be for self-defense only.
- Reprisal or punitive measures would not be initiated.
- Commanders were to seek guidance from higher headquarters prior to using armed force, if time and situation allowed.
- If time or the situation did not allow the opportunity to request guidance from higher headquarters, commanders were authorized to use that degree of armed force necessary to protect their forces.

- Hostile ground forces which had infiltrated and violated USMNF lines by land, sea, or air would be warned that they could not proceed and were in a restricted area. If the intruder force failed to leave, the violation would be reported and guidance requested.

- Riot control agents would not be used unless authorized by the Secretary of Defense.

- Hostile forces would not be pursued.

- A "hostile act" was defined as an attack or use of force against the USMNF, or against MNF or LAF units operating with the USMNF, that consisted of releasing, launching, or firing of missiles, bombs, individual weapons, rockets or any other weapon.(14)

During the first year the USMNF continued their presence mission with both mobile and foot patrols in assigned are aas well as down the "Green Line" that divided the city into sectarian parts. Attacks on U.S. troops started in the spring of 1983 with the wounding of five Marines in March. In April a large car bomb exploded at the U.S. Embassy in Beirut killing 61 and injuring more than 100. On 17 May Israel signed a withdrawal agreement with Lebanon and, as feared, the Muslim elements in Lebanon reacted negatively to the agreement. Members of the USMNF had hoped the signing of this agreement could have been much later in the year and coincide with the completion of the training of the Lebanese Armed Forces. The Marines recognized that the Israeli Army was a stabilizing force throughout Southern Lebanon. On 3 and 4 September, acting against the request of Lebanon and the MNF, Israel withdrew its

forces from the Beirut area. "This move created a void that the Lebanese Army was unprepared to fill, and the result was fierce fighting along factional lines--essentially, a battle for the city."(15) As the Lebanese Army moved to occupy vacated Israeli positions, they were immediately confronted by Druze militia who were no longer under Israeli control and occupied nearly all territory in the hills overlooking Beirut and the international airport. Marine positions, in and around the airport, also came under attack as the LAF units continued to move through U.S. lines in an effort to gain control of contested areas outside the city.

The Lebanese government needed to secure the town of Souq el-Gharb, located in the Chouf Mountains, for political and military gain. Though occupied by the Druze it had previously been a Christian enclave. A Lebanese Army victory in Souq el-Gharb meant not only that the town would return to Christian control but also it would demonstrate the government's resolve and the army's new potential. A loss would have a disastrous result on the army's morale and would be viewed as a failure on the part of the MNF. On 19 September, U.S. ships fired naval gunfire directly in support of LAF operations in securing Souq-al-Gharb and a foothold in the Chouf Mountains. This clearly changed the role of the USMNF from peacekeeping to active participation with the LAF and the Gemayel government of Lebanon.

Following several more days of fighting, the various factions negotiated a cease-fire on 26 September. The cease-fire agreement, like so many before, was not long in effect before the Marines became involved in additional fire fights with unidentified arab gunmen resulting in the killing of two and the wounding of fifteen over a six day period.(16)

On 23 October, the Battalion Landing Team (BLT) headquarters building was destroyed in a suicide truck-bomb attack. According to the Long Commission, "a truck laden with the explosive equivalent of over 12,000 pounds of TNT crashed through the perimeter of the USMNF compound at Beirut International Airport, penetrated the Battalion Landing Team Headquarters building and detonated.(17) U.S. casualties included 241 killed, and more than a hundred wounded. A similar attack on the same day against the French force killed 58. In the bombing aftermath, the USMNF, together with other members of the MNF continued to perform their duties and insisted on staying and seeing their mission through. Finally in early February, following three more months of renewed fighting and additional Marine casualties, President Reagan announced decisions to redeploy Marines from Beirut International Airport to ships offshore. The redeployment to offshore ships was completed on 26 February.

Somalia

In September 1991, Siad Barre seized control of the Somalia government in a popular uprising supported by the United Somalia

Congress (USC). For the next two years a bloody civil war ensued between the many warring factions, resulting in the deterioration of the humanitarian situation in Somalia and underlining the urgent need for the quick delivery of humanitarian assistance to the whole country. By the summer of 1992 as many as 4.5 million Somalis were on the brink of starvation.(18) Anarchy and lawlessness prevailed. The UN, by the spring of 1992, passed a series of resolutions that recognized the unique character of the situation in Somalia and the magnitude of the human tragedy caused by the conflict. They eventually authorizing the peacekeeping operation United Nations Operation Somalia (UNOSOM) to assist the humanitarian relief effort. The UNOSOM force was supplied by the Pakistan government. Reports of widespread violations of international humanitarian law in Somalia continued. These reports often included acts of violence and threats of violence against personnel participating lawfully in impartial humanitarian relief activities. In November, the UN Secretary General recommended that action under Chapter VII of the UN Charter of the United Nations should be taken in order to establish a secure environment for humanitarian relief operations in Somalia. The US Central Command issued a warning order to the First Marine Expeditionary Force (I MEF) on 20 November to start planning for a large-scale humanitarian intervention in Somalia. Operation Restore Hope was to be a U.S. led combined task force consisting of forces from 20 nations. The objective was

to establish a secure environment and then provide assistance to the humanitarian relief organizations to get relief aid moving. The plan was designed in four phases as follows:

- Phase I Introduction of Forces
- Phase II Establishment of Humanitarian Relief Sectors (HRS)
- Phase III Stabilization
- Phase IV Transition to UNOSOM II/Redeployment (19)

The initial rules of engagement (ROE) for the JTF resulted in the following five rules being issued prior to deployment:

- You have the right to use force to defend yourself against attacks or the threat of attack
- Hostile fire may be returned effectively and promptly to stop a hostile act
- When U.S. Forces are attacked by unarmed hostile elements, mobs and/or rioters, U.S. Forces should use minimum force necessary under the circumstances and proportional to the threat.
- U.S. forces may not seize property of others to accomplish your mission.
- Detention of civilians is authorized for security reasons or in self-defense.(20)

Shortly after landing in Somalia, the JTF further clarified the ROE by explaining that the possession of a crew served weapon or RPG launcher constituted hostile intent and while the ROE allowed Marines to defend themselves, deadly force was not authorized to prevent theft or to restrain individuals. As a final reminder the JTF Commander instructed his

Marines to treat all persons with dignity and respect while carrying out their mission. Driven by the U.S., the UN Security council approved resolution 794 which authorized operation Restore Hope as UN operation Unified Task Force (UNITAF) under Chapter 7 of the UN charter. Chapter 7 provided for the use of whatever force necessary to achieve the mandate, making the operation a peace-enforcement vice peacekeeping mission. On 7 December the National Command Authority directed the execution of Operation Restore Hope. On 9 December, forces began landing on Somali territory to secure the airport, seaport, and American embassy complex.

Mogadishu, including the port and the airfield, now divided, paralyzed, and had virtually been destroyed by the conflict between the two major factions of the United Somali Congress (USC), one led by Mohammed Farrah Aideed and the other by Ali Mahdi. Like Beirut, there was a "green line" roughly six blocks wide, extending from north to south through the city. This no man's land separated the territories controlled by Aideed and Mahdi. Inland, other factions fought for control of territory, and routinely sustained themselves by raiding the countryside, and by stealing or extorting resources from the relief agencies. Both the possession of individual arms and the formation of alliances within the various clans constituted the only real security for the individual Somali. Weapons of all calibers were visible everywhere and readily used everywhere.

By 12 December Marine Forces (MARFOR) escorted their first relief convoy beyond the city of Mogadishu. The same day they received their first hostile fire directed against Marine helicopters flying escort. Marines returned fire, destroying two technicals (vehicles carrying mounted crewserved weapons) and damaging one M113 APC. As follow on forces were introduced, interior distribution sites began to appear in central and southern Somalia, and the number of security operations necessary to permit unimpeded relief operations to those sites increased. Marines began conducting convoy security operations throughout the area of operations, ensuring sufficient control existed over the distribution network to allow for the delivery of enough food to arrest the famine and break the cycle of looting.

On 19 December MARFOR forces conducted their first operation to confiscate weapons in an effort to supplant rul by the gun, with rule by law. In addition, the cantonment of heavy weapons, initially instigated by Ambassador Oakley and Lieutenant General Johnston, did much to contain both the level and frequency of violence throughout central and southern Somalia. This initiative was subsequently carried forward to the Addis Ababa Peace and National Reconciliation Conferences where it has evolved into a countrywide concept for factional disarmament. Coalition forces confiscated more than 4,000 weapons by late spring of 1993. While Marines made progress in all areas, hostile acts directed against members of the JTF

continued. On 6 January, a MARFOR convoy received fire from an Aideed cantonment site in Northern Mogadishu. On 7 January, after a member of Aideed's staff received formal formally notified that MARFOR units would confiscate all weapons at this site, Marine units attempted to clear and peacefully secure Aideed's cantonment using psyops broadcast. Somalis resisted with small arms fire. Marines returned fire using both air and ground forces resulting in an immediate surrender of Somalis without casualties to either side. On 12 January Somalis ambushed a patrol from the 3d Bn 11th Marines, in the vicinity of Mogadishu International Airport resulting in one Marine and four Somalis killed. The ambushes continued through the month of January with another three Marines wounded in separate incidents in or around Mogadishu. As the U.S. military commenced phase IV of their operations, transitioning to UN control, in February an additional six Marines were wounded in two separate incidents in Mogadishu.

RULES OF ENGAGEMENT

Definition

The Joint Chiefs of Staff define rules of engagement (ROE) as "directives that a government may establish to delineate the circumstances and limitations under which its own naval, ground, and air forces will initiate and/or continue combat engagement with enemy forces."(21) These orders determine the boundaries within which a commander can act. ROE

consist of two different types of orders: first, general orders that allow the commander a wide range of action unless countermanded by higher authority (command by negation); second, restrictive orders that detail actions which can be taken only when authorized by higher authority (positive command).(22)

Commanders have the responsibility and the right to defend their force and the rules of engagement are derived from that right. Rules of engagement are a means to an end, and the desired objective varies from situation to situation. However, some objectives to which rules of engagement contribute are:

- Self-defense
- The prevention of conflict
- The transition between crisis and conflict
- The management of tension between civilian leadership and military commanders
- The management of tension between centralized and decentralized command
- The appropriate balance between political, military, and legal requirements.(23)

In peacekeeping operations, rules of engagement are primarily aimed at force protection and preventing an unprovoked use of force that could

initiate a crisis. During a crisis, rules of engagement not only provide for self-defense, but help prevent unauthorized and uncontrolled escalation, while simultaneously protecting national objectives.

Rules of engagement can be both defensive and conditional. Differentiating between policy decisions, operational orders, and rules of engagement may at times be difficult. "Policy decisions deal with **what, where, when,** and why force will be used; operational orders deal with how, **when,** and where force will be implemented; rules of engagement confine themselves to **when** force is allowable, and only then, to what extent it is to be used."(24) According to Bradd C. Hayes, research analysis for the Rand Center for the Study of Soviet International Behavior "ambiguity arises because all three deal with **when** force will be implemented and with the limitations to be imposed."(25)

Understanding exactly what rules of engagement are is often difficult and sometimes requires an understanding of just what rules of engagement are not. Hayes quotes a senior Navy international law and ROE expert as stating: Under (the) JCS definition, ROE should not delineate specific tactics, cover restrictions on specific equipment operations, cover safety-related restrictions, or set forth service doctrine, tactics or procedures. Frequently, these matters are covered in documents called ROE. ROE should never be "rudder orders," and certainly should never substitute for

a strategy governing the use of deployed forces, in a peacetime crisis or in wartime.(26)

ROE Considerations

Rules of engagement are a major consideration in planning any military operation. Conflict in peacekeeping operations lack the same degree of clarity of objective compared to more traditional military interactions. Further, the enemy is likely to be more difficult to discern, perhaps being just a small portion of a population operating in the same area as friendly forces. As indicated before there are a number of considerations that must be weighted when examining rules of engagement used in both operations. Three primary areas of concern are: political, military, and legal.

Political

Governments have the tendency to dispatch military forces without very clear objectives in mind, and in hopes that they will do something to resolve the situation and nothing to aggravate it. Vagueness and imprecision in the rules of engagement can only compound the dangers of uncontrolled escalation.(27) Designing ROE in these circumstances to achieve an unclear objective without putting friendly forces at a considerable disadvantage is difficult.

In Beirut the rules of engagement were both defensive and situational, and far more restrictive than in Somalia. Geared for an impossible presence mission the ROE was only appropriate for a force that initially had few, if any, real threats within its A.O. The Long Report, concluded "that a single set of rules of engagement providing specific guidance for countering the type of vehicular terrorist attacks that destroyed the U.S. Embassy on 18 April 1983 and the BLT (Marine) Headquarters building on 23 October 1983 had not been provided to nor implemented by the Marine Amphibious Unit Commander."(28) The author has yet to see rules of engagement that separately address specific incidence and doubt that a set exists that covers all possibilities. The rules of engagement in Beirut were always linked to self defense and to a "don't shoot first policy". Marines operated under rules allowing them to return fire only when fired upon. Their attackers were invisible, and therefore, invulnerable. When the Joint Chiefs of Staff transmitted the President's decision to change the rules to allow the Navy to bombard Lebanon with naval gunfire in support of the Lebanese Armed Forces nothing was said about a change in either the mission or ROE for the Marines on the ground. The MAU Commander, Colonel Geraughty, was well aware that neutrality was the only real defense and that the decision to actively support the Lebanese Armed Forces would only mean more hostile fire directed towards Americans and American Marines. Geraghty's numerous superiors

ensured he also knew of the need to keep the casualty rate down while negotiations, lead by the United States, continued. Each accidental discharge that resulted in the injuring of a civilian or military member resulted in additional pressure from his superiors, including the Commandant, demanding an end to self inflicted injuries. This interpretation of the messages resulted in the MAU Commander ordering sentries within the perimeter of the airport to keep their magazines in their ammunition pouches as a precaution against accidental or over-eager discharges of a weapon that might kill or wound another Marine or one of the thousands of Lebanese civilians who visited the airport daily. His remedy of the situation proved fatal. On 23 October 1983, a commercial truck, allowed within the airport grounds by the Lebanese Army, and driven by a "civilian truck driver" crashed through barbed wire fencing and into the Marine barracks killing 241 American service members. Contrary to the Long Commissions Report, the problem was not so much with the ROE as with their incorrect use. Mr. Robert McFarlane, then the U.S. special envoy to Lebanon, in effect used the rules of engagement to change policy (that is, to actively support the Lebanese Armed Forces) instead of changing policy and then drafting supporting ROE. With no change in official policy, nor formal statements supporting a change, commanders were compelled to supply their own interpretations, with disastrous results.(29)

In Somalia, the rules of engagement were significantly more aggressive than in Beirut ten years earlier. The Rules of Engagement allowed Marines to achieve the objective without putting themselves at a considerable disadvantage. The safety of U.S. and coalition forces appear to have more importance today than it did ten years ago. Opposite to the findings of the Long Commission, which called for additional rules of engagement for specific acts of aggression, rules of engagement need to be simple to understand and applicable to a broad range of possibilities if they are going to be effective. Almost as important to the actual rules are how individual incidents are handled once the first shot is fired. Like Lebanon, the enemy is difficult to discern in Somalia where the warring factions are only a small segment of the general populace and have no physical, cultural, or language characteristics distinguishing them from the rest of the civilian population. While the ROE in Somalia are more aggressive, service members are still held strictly accountable should they overstep their bounds in the execution of their mission.

Military

Following our involvement in Lebanon, Former Secretary of Defense Casper Weinberger asserted that "precise thinking" and "theoretical preparation" should not only be completed before sending in forces, but that both political and military leaders should understand and approve the

actions. He outlined six controversial tests that the United States should apply when deciding to commit military forces into a crisis situation:

- The United States should not commit forces overseas unless the particular engagement or occasion is deemed vital to U.S. national interests

- If it is necessary to put combat troops into a given situation, the U.S. should do so wholeheartedly, and with the clear intention of winning

- The U.S. should have clearly defined political and military objectives. Leaders should know precisely how forces can accomplish those clearly defined objectives

- The relationship between objectives and the forces committed, their size, composition and disposition, must be continually reassessed and adjusted if necessary.

- Before the U.S. commits combat forces abroad, there must be some reasonable assurance that such action has the support of the American people and their elected representatives in Congress.

- The commitment of U.S. forces to combat should be a last resort and used only when other means have failed.(30)

Military Mission

Peacekeeping operations need a clear mandate in order to function effectively. In Beirut, more than ten years ago, mission accomplishment and self-defense for U.S. peacekeepers did not get, according to the Long Report, "interpreted the same by all of the chain of command."(31) The mission stated that, "The MNF is to provide an interposition force at agreed locations and thereby provide the MNF presence requested by the Government of Lebanon to assist it and Lebanon's armed forces in the

Beirut area."(32) The Long Commission's interpretation includes the "responsibility for security of Beirut International Airport as part of the U.S. mission" even though they admit "perceptual differences regarding the mission were recognized but not corrected at the time by the chain of command."(33) Marines viewed their location within the airport and their support of the Lebanese Armed Forces, who controlled access to the airport, differently. American forces interpreted their assignment more as one of aiding the Gemayel government in solidifying its position in the country. This implied that a more active and open role or presence took precedence over increased security concerns. Retired navy captain Wayne Hughes noted that at the crisis level, "Mission accomplishment in crisis may actually require forces to make themselves vulnerable to attack while operating under strict rules of engagement. A major tactical problem is to apply pressure with visible presence while facing the continuing threat of an enemy surprise attack. In crisis containment visible presence is an asset; in active combat it is a liability."(34)

Such actions further alienated the United States from other factions in Lebanon. The Long Commission concluded that the U.S. role in the MNF suffered from confusion in relation to its mission, in relation to a dynamic environment which was changing for the worse, and in relation to the appropriate conditions for the use of force in self-defense.(35) By October 1983 the various Lebanese factions and muslim militia had stopped

viewing the Marines as peacekeepers. Instead, they treated the U.S. as a power to be disposed of in Beirut. This is as much a failure of policy as of clear mandates. The lesson to be learned from the Beirut experience concerning mission statements is that there need to be detailed mandates, complete with careful definitions of what the mission entails and that the change of role to that of an aggressor or military assistant should be recognized. The mission, rules of engagement and security measures should therefore be changed accordingly. If the United States is an ally to one force, it is an enemy to the other. You will, according to Lt.Col. Douglas Frasier a Canadian peacekeeper in Cyprus, become potentially a target... but, hopefully, by using your peacekeeping skills and by strict impartiality... you do not become an enemy."(36)

In Somalia the U.S. seemed to learn this lesson by issuing a detailed initial mission statement which included specific tasks asked of U.S. military forces assigned to Operation Restore Hope. "The development of clear operational objectives, which can be articulated to subordinate operational commanders, is perhaps the most important issue. From this almost all other operational considerations stem."(37) Included within the mission statement were, airport security, seaport security, security assistance of food convoys and security at selected food distribution sites run by numerous non-government organizations. Both Army and Marine forces received strategic Intelligence Planning Briefings (IPB), and area assessments prior

to deployment to assist in driving mission statements and in task organizing from the bottom up. The issue of mission creep got identified early as likely to occur. Added missions included: limited disarming and cantonment of captured weapons, some nation-building activities, and infrastructure repair, and equipping and training an auxiliary guard force (police force).

In line with the "Weinberger Doctrine" comes the requirement of establishing an end state. While end states are difficult to achieve for operations like Operation Restore Hope, two listed by Central Command were: a limited objective of peace enforcement and the turnover to UN forces to pick-up peace keeping and nation building follow-on operations.(38) The conditions imposed, by the United States on the UN, prior to coming to its aid in Somalia, were that the mandate be restricted to protection of humanitarian operations in the hardest-hit areas of Somalia; that lines of command and control be clear with maximum responsibility given to the field commanders; that overwhelming force be deployed from the outset with freedom to use this force to accomplish the mission; and that humanitarian rescue missions would be followed by a formal UN peacekeeping operation.(39) The end point was the replacement of the U.S. lead coalition by a UN peacekeeping operation known as UNOSOM II. Recognizing the overwhelming task at hand, the UN delayed taking charge until the U.S. reached a compromise on additional American support to remain. This agreement allowed UNOSOM II to take the field

with the U.S. agreeing to remain heavily involved in both logistics support and in supplying a standby reaction force to a UN-led operation.

While the United States entered Somalia for narrowly defined humanitarian reasons, by June 1993 our goals had changed to include hunting down a factional leader, Mohamed Farah Aideed. Focusing on domestic issues, the administration seemed to sustain itself by nothing more than hope that nothing bad would happen to the troops obviously placed in harm's way.(40) Unfortunately, the additional mission of capturing Mohamed Farah Aideed represented a major change in the agreed upon mission for U.S. forces, and was done without careful thought of the impact such a change in direction might have on the end state.

Military Force Structure

Not having sufficient combat forces in Somalia, i.e. tanks and bradley fighting vehicles is one of those recurring problems similar to the problems Marines faced in Beirut. When political negotiations fail and the situation escalates, the transition from crisis to combat can be difficult. The rules of engagement must change to meet emerging circumstances. Military commanders must be able to "request a relaxation of either the end state or the limitations imposed by higher authority that prevent attainment of established aims."(41) The 24th MAU Commander, Colonel Geraghty, made numerous requests for an increase in the strength of his Battalion

Landing Team (BLT) from a single infantry battalion composed of three rifle companies and one weapons company, to a reinforced battalion with one or more additional companies deemed necessary as the U.S. crisis increased both in size and intensity. None got assigned until after the bombing on 23 October. While on the one hand "we should not be automatically critical of conditions imposed on operations by higher authority, since policy is the guiding intelligence for the use of military force"(42) there are times when critical comments are warranted. It is difficult to remain silent when we know that no senior military commander is allowed to use the conditions imposed by higher authority as an excuse for military failure. In Somalia we seem to have suffered from a different type of thought process, but with similar results, when the Chairman of the Joint Chiefs of Staff asked for additional combat forces. The approval of which could have possibly saved the lives of 18 U.S. Army rangers. Whatever the reason, politics or cost, the problem still seems to be one of mistrust of our senior military leadership by the very politicians that direct or agree to such missions and who ultimately find the military commander at fault if the mission fails to be a complete success. "Though purists argue that a peacekeeping force cannot evolve into a peace enforcement force, in reality, peacekeeping forces must be deployed with adequate safeguards in mandate, ROE, protection, and weaponry to protect themselves and their mission in the face of military threats or agreement violations."(43)

Political leaders often believe that responsibility and chain of command only point one way (downwards) and when lives are lost, as in Beirut and Somalia, the military commander is held solely accountable.

Military Chain of Command

The Long Report concluded "that USCinCEur, CinCUSNavEur, COMSixthFlt, and CTF61 (Amphibious Task Force 61) did not initiate actions to ensure the security of the USMNF in light of the deteriorating political/military situation in Lebanon and that the USCinCEur operational chain of command is at fault (for the bombing of the Marine barracks). The commission believed that as the political/military situation in Lebanon evolved, aggressive follow-up and continuing reassessment of the tasks of the U.S. F and the support provided by the chain of command were necessary. The commission further concluded that although it found the USCINCEUP operational chain of command at fault, it also found a series of circumstances beyond the control of these commanders that influenced their judgement and their actions relating to the security of the USMNF."(44) There is nothing in the Commission's report to further explain the "circumstances" that were beyond USCINCEUR's control and one can only speculate on the possibilities of there being significant political pressures on the chain of command to keep the presence mission from escalating further.

The report's recommended action to the Secretary of Defense was to take whatever administrative or disciplinary action he deemed appropriate. Within the next year both the MAU and BLT commanders received career ending letters for their official files.

The issue of clear and well defined chains of command seems to remain as difficult today in Somalia as it was in Beirut in 1983. While we officially turned over the operations to the UN in late February we were asked to leave forces behind who would provide UN logistics support under a separate U.S. headquarters. Two headquarters became three with the arrival of a SOF Battalion, and a fourth headquarters was established once Mr. Oakley returned. With four U.S. headquarters, together with numerous others representing the various contingents of the international community, there exists a critical demand for a UN headquarters "that is sufficiently competent, reliable, politically sensitive, clear-headed, well-supported, and well-commanded to satisfy military and political leaders."(45) Though this still is not the case today, the UN is the logical choice for providing a framework for multilateral engagements, but it remains terribly deficient in structure for defining mandates and for planning and managing complex operations of increased size and danger. Until this seemingly impossible task is accomplished, the U.S. can not expect to support UN peace operations without falling victim to the same pitfalls

of mission creep and increasing hostilities experienced in Beirut and Somalia.

Legal

In an effort to maintain the moral high ground in operations other than war, conservative doctrine, like conservative ROE, tend to place forces into situations of increased risk. Fighting fair is an American obsession. Ten years ago, after the Beirut bombing, retired Marine Major Patrick Townsend called this obsession "The Marine's Weak Spot." Today's Corps, according to Townsend, is the philosophical descendent of the British redcoats who marched into the woods near Pittsburgh at the start of the French and Indian War and up Bunker Hill in the Revolutionary War. Like the Marines in Beirut, the British died without knowing that their opponents were using a different rule book.(46) Today, in an effort to eliminate this "weak spot" legal advisors are assigned at all levels of command to assist in writing ROE that are understood by the individual soldier and marine. Additionally, the Staff Judge Advocates (SJA) and Provost Marshal sections at JTF and MARFOR/ARFOR levels assist subordinate units by answering specific questions related to the rules of engagement. As one military legal expert declared, "It's not so much that I answer questions on ROE, but I question the answers. By that I mean, one of my principal jobs in reviewing ROE in operational plans is to ensure

they are not overly restrictive because of a misconception of so-called prohibitions."(47)

The JTF and MARFOR/ARFOR SJAs in coordination with both higher headquarters, subordinate commands and laterally among appropriate staff elements under took the important task of developing and implementing both joint and coalition force rules of engagement. To help in their task U.S. CENTCOM came up with a booklet entitled "Proposed Coalition Military Operations Peacetime Rules of Engagement"(48) which includes a verbatim copy of a Serial One Supplement ROE carefully tailored for Operation Restore Hope and extracts of the CENTCOM peacetime ROE. A determination of when the use of forces in self-defense is warranted requires a detailed understanding of what constitutes hostile intent and an understanding of when that intent becomes a hostile act.

In Beirut, the MNF did not engage in combat and did use normal peacetime ROE. The employment of force was authorized only when required for self-defense against a hostile act, or in defense of LAF units operating with the U.S. contingent in the MNF. Marines sought guidance from higher authority before using armed force for self-defense unless facing an emergency. While hostile intent and hostile act were defined, a hostile threat was not."(49) Professor O'Connell insisted that there is an "ambiguous borderland between hostile intent and hostile act, and ...(that) it may become necessary to specify in closer detail the point at which hostile

intent is transiated into a hostile act so that the tactical advantage does not irrevocably pass to the potential attacker."(50) By August of 1983 the MNF, and the U.S. Marines in particular, were feeling threatened by hostile forces intent on doing them harm. Unlike naval forces, preemptive self-defense was not an option.

Preemptive or anticipatory self-defense rules of engagement for U.S. naval forces were established before our country's formal entry into World War II. To help naval commanders, rules of engagement normally contain definitions of hostile intent upon which a commander can base a decision to declare an opposing force hostile and direct fire against it. During peacetime, hostile intent is generally determined only after an accumulation of nonlethal but potentially aggressive actions have occurred. For example, an opposing ship in peacetime may have to load its rails with missiles, illuminate U.S. forces with its fire-control radar, and orient its missiles on U.S. forces before a commander is authorized by the rules of engagement to declare it hostile. However, in a period of crisis, that same determination may be made if a ship merely illuminates U.S. forces with a fire-control radar."(51)

Certainly the summer and fall of 1983 were periods of crisis r the MNF. One particular incident that summer illustrates the ROE differences between naval forces and land forces. Following the car bombing of the American Embassy in April, and the renewed fighting that occurred after

the Israeli withdrawal, U.S. Marines received an intelligence report warning of a car bomb last seen in West Beirut. The report gave make and model, and included a description of the occupants as four young Arab males. A car fitting this description was observed in the vicinity of the new U.S. Embassy and stopped by Marines approximately one block from the Embassy entrance. Marines asked the occupants to step from the car while it was searched for explosives. Once it was determined not to be the car identified in the report the four Arab males were allowed to return to their vehicle and leave the area. This incident might be considered an example of preemptive self-defense used by ground forces. The actions of the Marines was not interpreted as such by the Embassy staff who's lives the Marines were trying to protect. The MAU Commander, Battalion Commander, and the Company Commander were reprimanded by the U.S. Ambassador for failing to treat "our hosts" with the appropriate degree of respect expected of an invited guest. Colonel Geraghty instructed the commanders to refrain from future attempts to deal with potential threats until a hostile act had occurred that required self-defense measures. The problem with that line of thinking, as evident in the April bombing, was that the hostile act left no time to respond once a determination was made of hostile intent.

In Somalia preemptive self-defense was allowed in the rules of engagement. Marines did not have to wait for a hostile act to occur before

they could take actions necessary to defend themselves. If a Somali aimed a weapon at a Marine, the Marine could fire first providing he felt his life or the lives of those around him threatened. The very thought of responding to such a similar threat in Beirut was out of the question. When weapons were pointed in a Marine's direction he took cover and waited to be fired upon before he was allowed to respond with a similar caliber weapon.

Carrying loaded weapons in Beirut resulted in a number of accidental discharges that unfortunately often meant additional casualties. This concern for individuals safety was one of the primary reasons Colonel Geraughty had his guards on interior posts keep their weapons unloaded. Whether the guards would have been able to place effective fire on the truck used in the barracks bombing had their weapons been loaded remains questionable. This issue was addressed in the Long Commission's Report that found the MAU Commander shared responsibility for the catastrophic losses for "concurring in the modification of prescribed alert procedures, and emphasizing safety over security in directing that sentries on posts 4, 5, 6, and 7 (located in front of both the MAU and BLT Headquarters buildings) would not load their weapons."(52) In Somalia, while weapons safety was on everyone's minds it was not cause for a more restrictive ruling in an attempt to eliminate the possibility of accidents. Firearms safety within the First Marine Division had received the attention of the

Division Commander most of the preceding year. In all training evolutions, weapons were to be considered loaded and dangerous. Blank ammunition was considered live and the accidental discharge of a blank round often meant Non Judicial Punishment for the Marine or Marines involved. The rules were the same ones used by Marine Security Forces worldwide. They include: all guns are always loaded; never cover anything with your muzzle that you are not willing to destroy; keep your finger off the trigger until your sights are on target; be sure of your target.(53) Training becomes the difference between 1983 and 1993. There is no need for more restrictive rules if the commander feels comfortable that his forces understand the dangers inherent in carrying loaded weapons for extended periods of time.

CONCLUSION

While U.S. attempts at peacekeeping in Beirut are considered by most as a failure, the initial deployment of the CJTF to Somalia has to be viewed as a success, certainly from the standpoint of rules of engagement. The end of the cold war has brought about significant changes to the world order. Defense planners must be able to adapt to meet these changes if we want to be successful in the future. "While this new security environment is less cataclysmic, it does present a more complex threat for which cold war military responses are no longer entirely appropriate."(54) Peace operation is a relatively new and comprehensive term that covers a wide range of activities from peacekeeping to peace enforcement and even peace

building. These new operations will frequently involve multinational forces, organized in irregular, and often confusing force structures. Distinction between combatants and noncombatants is often more difficult causing a breakdown in our traditional understanding of military combat power. The application of past military techniques may not produce the desired results sought by civilian leadership. "In peace operations, settlement, not victory, is often the measure of success."(55) Our actions must be linked to the political issues that require involvement if we are going to realize the desired end state. One very important tool available for controlling the direction of our military forces during future crisis is a concise set of rules of engagement.

A few important lessons learned since the Beirut peacekeeping experience deserve reiteration. Generally, rules of engagement should be developed that avoid extremes. It is most important that any military action peacekeeping units undertake are seen, by all involved, as an immediate response of self-defense to a dangerous violation. The long term effects of the use of force may prove substantially different from the short term ones--a tactical success resulting from the use of force may lead to a long term strategic failure. ROE can not establish policy, instead policy must drive ROE. A lack of policy or an unclear mandate during a crisis almost guarantees disaster. ROE are developed through a process involving political leadership and military commanders. This process must balance

mission accomplishment with political considerations while ensuring protection of the force. Commanders are more apt to operate with increased confidence if they know the rules prior to the emergency. The United States Institute for Peace goes so far as to recommend commands have "full data on existing and programmed rules of engagement, and specialized staff officers capable of quickly identifying appropriate modifications of rules of engagement in order to better meet crisis management requirements."(56) Graduated ROE must be drafted, briefed, and understood before entering a potential crisis. Rules of Engagement that are well thought out and preplanned, must also be exercised. Ensuring the legal officers and ROE custodians know the rules of engagement is not enough, all members of the peacekeeping force must have a working knowledge of them. Scenario driven training enables commanders to test possible rules of engagement and the subordinate commanders tasked with implementing them.

These are a few of the many issues that Secretary-General Boutros Boutros-Ghali's "duty to intervene" policy needs to address. However, these issues continue to surface year after year, peace operation after peace operation, and remain issues the UN, as evidenced in Somalia, need to solve. In Boutros-Ghali's agenda for peace is a call for giving the UN a standing military force of its own at a time when "UN bureaucracy has inspired a Western retreat not only from Somalia, but also from the idea of the duty

to intervene."(57) If UN multilateral intervention is to work, US leadership and support will be required. However, before a military force is deployed, the UN must act on the recommendations of the United States Institute of Peace and correct "one of the greatest deficiencies in the current UN operations... of insufficient military input in policy and planning of operations."(58) Primary UN shortcomings requiring military input are: crises response, mandates and rules of engagement, realistic plans and requirements for operations and support, more intelligence analysis, and improvements in command and control. With the reawakening of operational art, a suitable link of military input to strategic political objectives will help to eliminate many of these shortcomings. One of the best tools available to policymakers to help manage armed forces and strengthen this link is a meaningful set of Rules of Engagement. Well crafted rules of engagement are essential control mechanisms vital to the traversing of the perilous thresholds of escalation along the entire spectrum of conflict. Rules of engagement, like operational art, fuse the implementers (warfighters) to the political objectives and ultimate end state. Understanding their importance as operational planners is vital if we are to successfully execute our mission at the operational level. Without rules of engagement that reflect political aims commanders will be forced to supply their own. A commander's own foreign policy may not necessarily match that of his political leadership. The United States Institute of Peace

report on The Professionalization of Peacekeeping concludes by saying that the UN headquarters' structure must be robustly rebuilt to accomplish these functions. Recommended improvements, mentioned earlier, are only a beginning. A well-trained professional staff and structure, supported by member states, that act effectively each time the political will materializes at the UN is needed if issues like rules of engagement are going to get the attention they need. Only then should the U.S. return to a more positive role of building up UN peacekeeping and peace enforcement operations in the future.

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